

DOCKET SECTION

PRESIDING OFFICER'S
RULING NO. R97-1/37

UNITED STATES OF AMERICA
POSTAL RATE COMMISSION
WASHINGTON, D.C. 20268

Postal Rate and Fee Changes

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POSTAL RATE COMMISSION
OFFICE OF THE SECRETARY
Docket No. R97-1

PRESIDING OFFICER'S RULING ESTABLISHING PROCEDURES FOR DESIGNATION OF INSTITUTIONAL RESPONSES

(October 3, 1997)

During the initial discovery phase of this proceeding, discovery on the direct case of the Postal Service has been conducted by participants. A significant number of responses have been provided by the Postal Service as an institution, rather than through the sworn statement of a witness, when the information was not within the knowledge or area of expertise of a witness. Answers to discovery provided by a party as an institution may be admitted into the evidentiary record in accordance with the following procedures:

- Designation of answers provided by the Postal Service as an institution during the initial phase of discovery must be filed as a separate packet on or before October 20, 1997 and comply with the requirements of special rule 4.A.
- Designations of institutional responses must be served on all participants as provided in special rule 3.B. The exception set out in special rule 3.C. shall not apply to designations of institutional responses.
- Designated answers will be collected in a separate volume of transcript and admitted into evidence subject to timely objections to the receipt of any particular institutional response, or motions that the Postal Service be required to provide a witness to respond to oral cross-examination on a particular response.

- Objections and/or motions to provide a witness must be filed within seven days of the designation to which they refer. Answers to such pleadings are due in seven days.
- Requests for oral cross-examination must describe in detail the subject matter of the questions to be posed, and explain why follow-up written questions were not sufficient to explore the context and content of the institutional answer.

RULING

Designations of institutional responses to discovery requests provided by the Postal Service are to be submitted on or before October 20, 1997, in accordance with the requirements in the body of this ruling.



Edward J. Gleiman
Presiding Officer